

Weekly Federal Register Summary

Week of 10/5/2003

Prepared By
Naval Facilities Engineering Service Center
Code 42

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Introduction

About the Report:

This weekly federal regulatory summary contains summaries of Federal Register notices and other information and is provided as a service of Naval Facilities Engineering Service Center, Port Hueneme, CA for various Navy and Marine Corps environmental personnel. Content is screened to include environmental and health/safety items specifically relevant to the Navy/Marine Corps or of broad general relevance to DOD.

Meetings -

Meeting cancellations and date changes appear only in the Upcoming Meetings section; they are not re-entered in the Summary of Issues.

Subscription:

Interested DOD personnel may receive a free weekly e-mail of this report. To subscribe or unsubscribe, log on to <http://regscreen.nfesc.navy.mil/htm/Subscribe.htm>. Contractors can be added to distribution if endorsed by their DOD contract representative via e-mail to us at regdesk@nfesc.navy.mil. Include the DOD representative's name, e-mail, phone number, job title, command, and address and your e-mail, phone number, company, and contractual responsibility area. If you have problems, or need assistance please contact us at regdesk@nfesc.navy.mil or 805/982-1276.

Web Database:

A companion website is available at <http://regscreen.nfesc.navy.mil> (access limited to .mil domains) where you can find and retrieve items from past issues of the Weekly Regulatory Summary, or get an overview of upcoming regulations.

Feedback:

We have made every effort to ensure that the information provided is accurate and that all significant regulatory actions have been included. If you believe that an important issue has been omitted from this report or that the information is incorrect, please contact us at 805/982-1276 or 805/982-2640, or via e-mail at regdesk@nfesc.navy.mil. Suggestions for improvement are also appreciated.

If you have specific concerns or would like to provide information to support Navy/DOD impacts from identified issues, please forward an e-mail detailing your comments. Please include the title and date of the issue. We may be contacted at: regdesk@nfesc.navy.mil or call 805/982-1276.

Summary of Issues

1. CAA

Update of Continuous Instrumental Test Methods		Date: 10/10/2003
Action Type: NPRM		Cite: 68 FR 58837
Summary: EPA is proposing to amend five instrumental test methods, that are used to measure air pollutant emissions from stationary sources. Methods 3A, 6C, 7E, 10, and 20 are instrumental test methods for determining diluent (oxygen and carbon dioxide), sulfur dioxide, nitrogen oxides, and carbon monoxide emissions from stationary sources. EPA will amend Methods 3A, 6C, 7E, 10, and 20 to: <ul style="list-style-type: none">- bring performance requirements to state-of-the-art levels;- remove obsolete specifications;- harmonize similar requirements;- simplify to enhance their utility;- reduce the costs of testing;- add helpful calculation procedures;- add quality assurance recommendations;- add provisions for sampling at low concentrations. The methods were originally developed for specific industry applications but have since been adapted to general testing applications. A large number of industries are already subject to the provisions requiring the use of these methods. Some entities potentially affected by this include: <ul style="list-style-type: none">- Fossil Fuel-Fired Steam Generators;- Industrial, Commercial, Institutional Steam Generating Units;- Municipal Waste Combustors;- Hospital, Medical, Infectious Incinerators;- Stationary Gas Turbines. Comments are due by December 9, 2003.		
Potential Impact or Relevance: Provided for information only.		CFR References: 40 CFR 60
Further Information: Foston Curtis, Emission Measurement Center, Emissions Monitoring and Analysis Division, EPA, Research Triangle Park, NC, 919-541-1063, curtis.foston@epa.gov		
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-24909.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-24909.pdf		

2. *Hazardous Material Transportation*

Stress Corrosion Cracking Threat to Gas and Hazardous Liquid Pipelines	Date: 10/8/2003
Action Type: Notice	Cite: 68 FR 58166
Summary: RSPA's Office of Pipeline Safety is issuing an advisory notice to owners and operators of gas and hazardous liquid pipelines to consider the threat from stress corrosion cracking (SCC) when developing and implementing Integrity Management Plans. Pipeline owners and operators should evaluate their systems for the presence of risk factors for high pH (9-11) SCC or near-neutral pH (6-8) SCC. Criteria for high pH SCC and recommended actions can be found in Appendix A3.3 and A3.4 of standard ASME B31.8S. RSPA/OPS will soon publish a final rule on the integrity management program for gas transmission pipelines in high consequence areas that incorporates requirements for addressing SCC threats by referencing Appendix A3 of standard ASME B31.8S. Although criteria and mitigation plans for near-neutral pH (6-8) SCC are not addressed in this standard, NACE International (NACE) is currently developing a standard on Direct Assessment of Stress Corrosion Cracking. In the United States, SCC failures on hazardous liquid pipelines have been very rare when compared with SCC occurrences on natural gas pipelines. The full Federal Register text of this notice provides extensive additional technical information.	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Mike Israni, DOT, (202) 366-4571, mike.israni@rspa.dot.gov	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25421.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25421.pdf	

3. *Natural and Cultural Resources*

Aquatic Nuisance Species Task Force Meeting	Date: 10/9/2003
Action Type: Meeting Announcement	Cite: 68 FR 58356
Summary: Aquatic Nuisance Species (ANS) Task Force will meet on November 4, 2003 in Arlington, VA. Topics include: <ul style="list-style-type: none">- update on ballast water management activities;- update of activities from each of the Task Force's regional panels;- status and updates from several other Task Force committees and working groups including<ul style="list-style-type: none">+ the Prevention Committee,+ the Asian Carp working group,+ the New Zealand mud snail working group,- review of State ANS Management Plans from Hawaii, Indiana and Wisconsin;- update on the activities of the National Invasive Species Council;- discussion on the National Aquatic Invasive Species Act.	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Sharon Gross, Aquatic Nuisance Species Task Force, 703-358-2308, sharon_gross@fws.gov	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25647.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25647.pdf	

4. *Natural and Cultural Resources*

Final EIS for an Incidental Take Permit for the Western Riverside County Multiple Species Habitat Conservation Plan, California		Date: 10/7/2003
Action Type: Notice		Cite: 68 FR 57924
Summary: The County of Riverside, California and 14 cities in western Riverside County have released a final EIS for their blanket incidental take permit application addressing urban and rural development over a 75 year term in an approximately 1.2 million-acre area. The application requests to incidentally take 83 animal species, including 69 unlisted species should any of them become listed, under the Endangered Species Act during the term of the proposed 75-year permit. The comment due date will be established in an EPA notice (not yet published). The applicants propose to create a preserve system that protects and manages 153,000 acres of habitat for the Covered Species in addition to the identified existing 347,000 acres of Covered Species habitat in the Plan Area with conservation value in public or quasi-public ownership. Copies of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), Implementation Agreement, and Final EIS/EIR are available at: http://www.rcip.org		
Potential Impact or Relevance: Potential relevance to "encroachment" pressures on MCB Camp Pendleton.		CFR References:
Further Information: Karen Goebel, Assistant Field Supervisor, Carlsbad Fish and Wildlife Office, Carlsbad, CA, (760) 431-9440		
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/07oct20030800/edocket.access.gpo.gov/2003/03-25313.htm http://a257.g.akamaitech.net/7/257/2422/07oct20030800/edocket.access.gpo.gov/2003/pdf/03-25313.pdf		

5. NEPA

Weekly Receipt of Environmental Impact Statements	Date: 10/10/2003
Action Type: Notice	Cite: 68 FR 58668
Summary: The following item has been submitted to EPA: USN, CA, Tertiary Treatment Plant and Associated Facilities Construction and Operation, Implementation, Marine Corps Base Camp Pendleton, San Diego County, CA, Comment Period Ends: November 24, 2003, Contact: Lisa Seneca (619) 532-4744. DRAFT EIS, EIS No. 230459	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Lisa Seneca, (619) 532-4744	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25811.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25811.pdf	

6. OSHA

National Advisory Committee on Ergonomics	Date: 10/6/2003
Action Type: Notice	Cite: 68 FR 57713
Summary: National Advisory Committee on Ergonomics (NACE) is recommending that a symposium, entitled "Musculoskeletal and Neurovascular Disorders--The State of Research Regarding Workplace Etiology and Prevention," be convened to address research needs and efforts relating to ergonomics. NACE will use proceedings from the symposium to make recommendations to advance OSHA's agenda of reducing the incidence of Musculoskeletal Disorders in the workplace. The symposium will be held on January 27, 2004, in conjunction with the NACE's fourth meeting in Washington, DC. NACE is requesting abstract submissions for the symposium which are due by November 5, 2003.	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Office of Communications, OSHA, Washington, DC, 202-693-1999	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25266.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25266.pdf	

7. OSHA

Study of Lung Cancer and Diesel Exhaust Among Non-metal Miners	Date: 10/6/2003
Action Type: Meeting Announcement	Cite: 68 FR 57696
Summary: National Institute for Occupational Safety and Health (NIOSH) and National Cancer Institute (NCI) will meet on November 5, 2003 in Washington, DC to provide an overview of progress of the study, "A Cohort Mortality Study with a Nested Case- Control Study of Lung Cancer and Diesel Exhaust among Non-metal Miners" and to exchange information among stakeholders. The agenda includes: - short summary of the background of the NIOSH/NCI study; - progress reviews of different study components. Viewpoints and suggestions from industry, labor, academia, other government agencies, and the public are invited.	
Potential Impact or Relevance: May provide insight into the general issue of cancer risks from diesel exhaust.	CFR References:
Further Information: Michael Attfield, Ph.D., Division of Respiratory Disease Studies, Morgantown, West Virginia, 304-285-5737, MDA1@CDC.GOV	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25233.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25233.pdf	

8. SDWA

National Primary Drinking Water Regulations: Stage 2 Disinfectants and Disinfection Byproducts Rule		Date: 10/8/2003
Action Type: Notice, Comment Extension		Cite: 68 FR 58057
Summary: EPA is extending by 60 days the public comment period for a proposed National Primary Drinking Water Regulation, the Stage 2 Disinfectants and Disinfection Byproducts Rule (DBPR), which was published in the Federal Register on August 18, 2003. Comments are now due January 16, 2004.		
Potential Impact or Relevance: Provided for information only.		CFR References:
Further Information: Tom Grubbs, EPA Office of Ground Water and Drinking Water, Washington, DC, (202) 564-5262		
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25547.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25547.pdf		

9. SDWA

Long Term 2 Enhanced Surface Water Treatment Rule		Date: 10/8/2003
Action Type: Notice, Comment Extension		Cite: 68 FR 58057
Summary: EPA is extending by 60 days the public comment period for a proposed National Primary Drinking Water Regulation, the Long Term 2 Enhanced Surface Water Treatment Rule, which was published in the Federal Register on August 11, 2003. Comments are now due January 9, 2004.		
Potential Impact or Relevance: Provided for information only.		CFR References: 40 CFR 141 40 CFR 142
Further Information: Daniel Schmelling, EPA Office of Ground Water and Drinking Water, Washington, DC, (202) 564-5281		
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25546.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25546.pdf		

10. Site Remediation

Notification of a Consultative Meeting of the Radiation Advisory Committee of the Science Advisory Board	Date: 10/7/2003
Action Type: Meeting Announcement	Cite: 68 FR 57891
Summary: EPA Science Advisory Board's Radiation Advisory Committee will meet on October 21, 2003 in Washington, DC to conduct a second consultation regarding the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) supplement dealing with the Multi Agency Radiation Survey and Assessment of Materials and Equipment. The MARSSIM, Revision 1 (August 2000) including the June 2001 updates are at: http://www.epa.gov/radiation/marssim/obtain.htm This supplement is one of two major extensions of the original initiative to provide federal guidance on determining whether a radioactively- contaminated site (including equipment and subsurface soils) has been adequately cleaned up.	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Dr. K. Jack Kooyoomjian, Science Advisory Board Staff Office, EPA, Washington, DC, 202-564-4557, kooyoomjian.jack@epa.gov	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25403.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25403.pdf	

11. TSCA

NTP Report on Potential Human Reproductive and Developmental Effects of Methanol	Date: 10/10/2003
Action Type: Notice	Cite: 68 FR 58700
Summary: The National Toxicology Program (NTP) Center for the Evaluation of Risks to Human Reproduction (CERHR) has released a report (monograph) discussing Potential Human Reproductive and Developmental Effects of Methanol. An expert panel concluded that there was sufficient evidence that methanol is a developmental neurotoxicant in rodents; however, the data from inhalation studies in primates were insufficient to draw the same conclusion. The panel judged that there are insufficient human data upon which to evaluate the developmental toxicity of methanol. The data in mice and rats were consistent and deemed to be sufficient to determine that inhalation or oral exposure to methanol is a developmental hazard. Methanol is widely used in a variety of consumer products such as varnishes, shellacs, paints, windshield washer fluid, antifreeze, adhesives, deicers, and Sterno TM heaters. Humans are also exposed to methanol through natural sources. Natural emission sources of methanol include volcanic gasses, vegetation, microbes, and insects. Methanol occurs naturally in humans and animals, and can be found in blood, urine, saliva, expired air, and mother's milk (1). Methanol is a natural component of fruits, vegetables, and fermented spirits. Ingestion of the food additives aspartame and dimethyl dicarbonate (DMDC) can also result in exposure to methanol. This report and others are available at http://cerhr.niehs.nih.gov . Monographs for several chemicals, including ethylene glycol, and propylene glycol are in production. An e-mail registration is available by list server if you wish to receive notification of these reports.	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: http://cerhr.niehs.nih.gov/contactus/index.html	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25779.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-25779.pdf	

Upcoming Meetings

General

Clean Water Act section 303(d): Notice of Availability of 4 Total Maximum Daily Loads, Informational Meetings and Public Hearing

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-22162.htm>

Location	Start Date	Start Time	Duration	Details
Philadelphia, PA	10/16/2003	7:00 PM	1 Day	

CAA

Clean Air Act Advisory Committee Notice of Meeting

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-23165.htm>

Location	Start Date	Start Time	Duration	Details
Asheville, NC	10/15/2003	8:30 AM	1 Day	

Hazardous Material Transportation

Chemical Transportation Advisory Committee

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-24572.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	10/23/2003	8:00 AM	2 Days	

Natural and Cultural Resources

Aquatic Nuisance Species Task Force Meeting

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25647.htm>

Location	Start Date	Start Time	Duration	Details
Arlington, VA	11/4/2003	8:00 AM	2 Days	

Invasive Species Advisory Committee

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-24333.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	10/29/2003	9:00 AM	2 Days	

Standards for Living Organisms in Ship's Ballast Water Discharged in U.S. Waters

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25188.htm>

Location	Start Date	Start Time	Duration	Details
New Orleans, LA	10/27/2003	12:00 PM	1 Day	
Oakland, CA	10/29/2003	12:00 PM	1 Day	
Cleveland, OH	10/31/2003	12:00 PM	1 Day	
Norfolk, VA	11/3/2003	12:00 PM	1 Day	
Washington, DC	11/7/2003	11:00 AM	1 Day	

NEPA

San Jacinto River and Upper Santa Margarita River Watersheds, Riverside County, CA - Draft EIS for a Special Area Management Plan

Full Text http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2002_register&docid=fr26de02-47

Location	Start Date	Start Time	Duration	Details
Hemet, CA	11/23/2003	6:30 PM	1/2 Day	

National Environmental Policy Act Task Force Report

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-24527.htm>

Location	Start Date	Start Time	Duration	Details
Shelton, WA	10/30/2003	9:00 AM	2 Days	

OSHA

Development of Powered Air Purifying Respirator Standards for Protection Against CBRN Agents

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-23686.htm>

Location	Start Date	Start Time	Duration	Details
Morgantown, WV	10/16/2003	9:00 AM	1 Day	

Study of Lung Cancer and Diesel Exhaust Among Non-metal Miners

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25233.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	11/5/2003	9:00 AM	1 Day	

Maritime Advisory Committee for Occupational Safety and Health

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-24660.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	10/15/2003	9:00 AM	2 Days	

SDWA

Meeting of the Drinking Water Contaminant Candidate List Classification Process Work Group of The National Drinking Water Advisory Council

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-5910.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	11/13/2003	9:00 AM	2 Days	

Long-Term 2 Enhanced Surface Water Treatment Rule and Stage 2 Disinfectants and Disinfection Byproducts Rule Proposals

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-24121.htm>

Location	Start Date	Start Time	Duration	Details
Telephone Conference; Eastern Std. Time,	10/16/2003	1:00 PM	1 Day	

Revisions to the Unregulated Contaminant Monitoring Regulation for Public Water Systems

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-23162.htm>

Location	Start Date	Start Time	Duration	Details
Arlington, VA	10/29/2003	9:00 AM	1 Day	

Site Remediation

Notification of a Consultative Meeting of the Radiation Advisory Committee of the Science Advisory

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-25403.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	10/21/2003	9:00 AM	2 Days	